

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

HENRY WAGNER,

Petitioner,

v.

Case No. 08-CV-239

JODINE DEPISCH,

Respondent.

ORDER

On March 17, 2008, petitioner Henry Wagner ("Wagner") filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his October 3, 2002 conviction of armed robbery. On March 20, 2008, this court issued an order directing Wagner to submit, within 30 days, the state court decision pertaining to the conviction he challenges, as well as the dates for the following: filing of his state habeas petition, filing of his motion for post-conviction relief, decisions of the Wisconsin state courts' rulings on those items, and appeal of any of those decisions. The court advised Wagner that it could not complete the initial screening of his petition without the aforementioned information. The court also advised Wagner that failure to submit the requested information would result in the dismissal of his petition without further notice from the court.

In response to the court's order, Wagner filed a letter on April 15, 2008, asking the court for an extension of 30 days to file the requested information. On April 18, 2008, the court granted the extension, allowing Wagner an additional 30 days from

the date of the order to submit the information. The court again advised Wagner that failure to comply with the order would result in dismissal of his petition without further notice.

To date, Wagner has failed to file any of the requested information. Indeed, Wagner failed to respond to the court's April 18, 2008 order in any way. Therefore, the court is obliged to dismiss Wagner's petition for failure to prosecute.

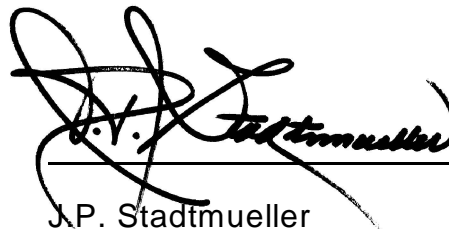
Accordingly,

IT IS ORDERED that Wagner's petition for writ of habeas corpus (Docket #1) be and the same is hereby **DISMISSED**.

The clerk of court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 14th day of October, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge